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Application Number Patent#: 6,821,966 **TRANSMITTAL** Issued: November 23, 2004 First Named Inventor **FORM** Sundeep DUGAR Art Unit 1624 (to be used for all correspondence after initial filing) Examiner Name K. Habte Attorney Docket Number 219002029300 Total Number of Pages in This Submission 17 **ENCLOSURES** (Check all that apply) After Allowance Communication Fee Transmittal Form Drawing(s) to TC Appeal Communication to Board of Fee Attached Licensing-related Papers Appeals and Interferences Appeal Communication to TC Petition Amendment/Reply (Appeal Notice, Brief, Reply Brief) Petition to Convert to a After Final Proprietary Information Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please х Extension of Time Request Terminal Disclaimer Identify below): Request for Certificate of **Express Abandonment Request** Request for Refund

Correction (5 pages) Proposed Certificate of Correction CD, Number of CD(s) Information Disclosure Statement (7 pages) Certified Copy of Priority Marked-up copy of corrected pages Document(s) of Patent No. 6,821,966 (4 pages) Landscape Table on CD Return Receipt Postcard Reply to Missing Parts/ Remarks Incomplete Application Customer No. 25225 Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name MORRISON & FOERSTER LLP Signature to Muera Printed name Kate H. Murashige Reg. No. Date 29,959 October 11, 2006

OCT 1 8 2006

I hereby certify that this paper (along wit the date shown below with sufficient pos Commissioner for Patents, P.O. Box 145	any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Servic ge as First Class Mail, in an envelope addressed to: Attention: Certificate of Correction Branch,	æ on
Dated: October 11, 2006	Signature: Ludy Andywati, (Judy Bridgwater)	



Deeby certify that this paper (along with any paper referred to as being attached by enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Attention: Certificate of Correction Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: October 11, 2006

Signature: <u>Wdy</u>

Docket No.: 219002029300

(PATENT)

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Letters Patent of:

Sundeep DUGAR et al.

Patent No.: 6,821,966

Issued: November 23, 2004

For: INHIBITORS OF P38 KINASE

# REQUEST FOR CERTIFICATE OF CORRECTION PURSUANT TO 37 C.F.R. 1.322

Attention: Certificate of Correction Branch Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Upon reviewing the above-identified patent, Patentee noted typographical errors which should be corrected.

In the Claims:

<u>In Claim 1</u>, please make the following corrections:

At column 62, line 4:

alkyl-CONR<sub>2</sub>, or "R<sup>3</sup>Si" --R<sub>3</sub>Si--,

## At column 62, line 10:

$$Ar - L^2 - Z^1 - N - L^1 - N_k$$

## At column 62, line 22:

$$\dots$$
 CF<sub>3</sub>, --R<sub>3</sub>Si-- and  $\dots$ 

## At column 62, line 42:

## At column 62, line 43:

## At column 62, line 50:

## In Claim 2, please make the following corrections:

## At column 62, line 65:

## At Column 63, line 10:

## In Claim 8, please make the following correction:

## At Column 63, line 29:

In Claim 22, please make the following correction:

At Column 63, line 57:

... at the "3-position" --5-position--.

In Claim 23, please make the following correction:

At Column 63, line 59:

CA or "CHA" --CH<sup>1</sup>A--.

In Claim 25, please make the following correction:

At Column 63, line 67:

COOR, "alkyl-COR" --alkyl-OOR--, SO<sub>3</sub>R, ...

In Claim 30, please make the following corrections:

At Column 64, lines 31-35, second compound:

(T) 1 9 300

## At Column 64, lines 50-54, fifth compound:

## At Column 67, lines 15-20, third compound:

OCT 18 2005

The errors were not in the application as filed by applicants; accordingly no fee is required.

Transmitted herewith is a proposed Certificate of Correction effecting such amendment. Also enclosed for your convenience is a marked-up copy of the pages of Patent No. 6,821,966 showing the requested corrections. Patentee respectfully solicits the granting of the requested Certificate of Correction.

Dated: October 11, 2006

Respectfully submitted,

Kate H. Murashige

Registration No.: 29,959 MORRISON & FOERSTER LLP 12531 High Bluff Drive, Suite 100 San Diego, California 92130-2040

(858) 720-5112

OCT 18 2005

## UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page \_1\_ of \_7\_

PATENT NO.

6,821,966

APPLICATION NO. :

09/990,187

ISSUE DATE

November 23, 2004

INVENTOR(S)

Sundeep DUGAR et al.

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In the Claims:

<u>In Claim 1</u>, please make the following corrections:

#### At column 62, line 4:

## At column 62, line 10:

"
$$Ar - L^2 - Z^1 N - L^1$$
"

$$-- \qquad \qquad Ar --L^2 --N \qquad N --L^1 ---$$

OCT 1 8 2005

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Kate H. Murashige **MORRISON & FOERSTER LLP** 12531 High Bluff Drive, Suite 100 San Diego, California 92130-2040

## UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page \_2\_ of \_7\_

PATENT NO.

6,821,966

APPLICATION NO. :

09/990,187

ISSUE DATE

November 23, 2004

INVENTOR(S)

Sundeep DUGAR et al.

At column 62, line 22:

 $\dots$  CF<sub>3</sub>, --R<sub>3</sub>Si-- and  $\dots$ 

At column 62, line 42:

... SO<sub>2</sub>, --H-- or ...

At column 62, line 43:

... alkenylene "(1-4AC)" --(1-4C)-- optionally

At column 62, line 50:

... "CF<sub>3</sub>Si" -- CF<sub>3</sub>, R<sub>3</sub>Si--, and

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(Also Form PTO-1050)

## UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 3 of 7

PATENT NO.

6,821,966

APPLICATION NO. :

09/990,187

ISSUE DATE

November 23, 2004

INVENTOR(S)

Sundeep DUGAR et al.

<u>In Claim 2</u>, please make the following corrections:

At column 62, line 65:

COR, or "R<sup>3</sup>Si" -- R<sub>3</sub>Si-- wherein ...

At Column 63, line 10:

OCONR<sub>2</sub>, or "R<sup>3</sup>Si" -- R<sub>3</sub>Si-- wherein ...

In Claim 8, please make the following correction:

At Column 63, line 29:

... alkyl-CONR<sub>2</sub>, or "R<sup>3</sup>Si" --R<sub>3</sub>Si-- wherein

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## UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

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PATENT NO.

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ISSUE DATE

November 23, 2004

INVENTOR(S)

Sundeep DUGAR et al.

In Claim 22, please make the following correction:

At Column 63, line 57:

... at the "3-position" --5-position--.

<u>In Claim 23</u>, please make the following correction:

At Column 63, line 59:

CA or "CHA" --CH<sup>1</sup>A--.

<u>In Claim 25</u>, please make the following correction:

At Column 63, line 67:

COOR, "alkyl-COR" --alkyl-OOR--, SO<sub>3</sub>R, ...

MAILING ADDRESS OF SENDER (Please do not use customer number below):

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(Also Form PTO-1050)

## UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page <u>5</u> of <u>7</u>

PATENT NO.

6,821,966

APPLICATION NO.

09/990,187

ISSUE DATE

November 23, 2004

INVENTOR(S)

Sundeep DUGAR et al.

In Claim 30, please make the following corrections:

At Column 64, lines 31-35, second compound:

MAILING ADDRESS OF SENDER (Please do not use customer number below):

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Page <u>6</u> of <u>7</u>

PATENT NO.

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ISSUE DATE

November 23, 2004

INVENTOR(S)

Sundeep DUGAR et al.

#### At Column 64, lines 50-54, fifth compound:

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Kate H. Murashige MORRISON & FOERSTER LLP 12531 High Bluff Drive, Suite 100 San Diego, California 92130-2040

## UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page \_7\_ of \_7\_

PATENT NO.

6,821,966

APPLICATION NO.

09/990,187

ISSUE DATE

November 23, 2004

INVENTOR(S)

Sundeep DUGAR et al.

## At Column 67, lines 15-20, third compound:

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12531 High Bluff Drive, Suite 100 San Diego, California 92130-2040 F Continued

F CON

What is claimed is:

1. A compound of the formula:

and the pharmaceutically acceptable salts thereof, or a pharmaceutical composition thereof, wherein

represents a single or double bond;

B is —W<sub>1</sub>—COX<sub>1</sub>Y wherein Y is COR<sup>2</sup> or an isostere thereof and R<sup>2</sup> is hydrogen, or is straight or branched chain alkyl, alkenyl, alkynyl, aryl, arylalkyl, heteroaryl, or heteroarylalkyl, each optionally substituted with 55 halo, alkyl, SR, OR, NR<sub>2</sub>, OCOR, NRCOR, NRCOR<sub>2</sub>, NRSO<sub>2</sub>R, NRSO<sub>2</sub>NR<sub>2</sub>, OCONR<sub>2</sub>, CN, COOR, CONR<sub>2</sub>, COR, or R<sub>3</sub>Si wherein each R is independently H, alkyl, alkenyl or aryl, each of W and X is a substituted or unsubstituted alkylene, alkenylene or alkynylene, and each of i and j is independently 0 or 1.

each R<sup>3</sup> is independently halo, alkyl, OCOR, OR, NRCOR, SR, or NR<sub>2</sub>, wherein R is H, alkyl or aryl, where n is 0-3;

Z<sup>3</sup> is NR<sup>7</sup> or O; wherein R<sup>7</sup> is H or R<sup>7</sup> is H, alkyl, alkenyl, alkynyl, aryl, arylalkyl, acyl, aroyl, heteroaryl, SOR,

SO<sub>2</sub>R, RCO, COOR, alkyl-COR, SO<sub>3</sub>R, CONR<sub>2</sub>, SO<sub>2</sub>NR<sub>2</sub>, CN, CF<sub>3</sub>, NR<sub>2</sub>, OR, alkyl-SR, alkyl-SOR, alkyl-COOR, alkyl-COOR, alkyl-COOR, alkyl-CONR<sub>2</sub>, or R<sup>3</sup>Si, wherein each R is independently H, alkyl, alkenyl or aryl;

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one Z<sup>2</sup> is CA or CR<sup>8</sup>A and the other is CR<sup>1</sup>, CR<sup>1</sup><sub>2</sub>, NR<sup>6</sup> or N wherein each R<sup>1</sup>, R<sup>6</sup> and R<sup>8</sup> is independently hydrogen or a C<sub>1-4</sub> alkyl; wherein A is:

$$Ar - L^2 - N - L^1 - L$$

Ar is an aryl optionally substituted with 0-5 substituents selected from the group consisting of alkyl, alkenyl, alkynyl, aryl, arylalkyl, acyl, aroyl, heteroaryl, heteroalkyl, heteroalkynyl, heteroalkylaryl, NH-aroyl, halo, OR, NR<sub>2</sub>, SR, SOR, SO<sub>2</sub>R, OCOR, NRCOR, NRCONR<sub>2</sub>, NRCOOR, OCONR<sub>2</sub>, RCO, COOR, alkyl-OOR, SO<sub>2</sub>R, CONR<sub>2</sub>, SO<sub>2</sub>NR<sub>2</sub>, NRSO<sub>2</sub>NR<sub>2</sub>, CN, CF<sub>3</sub>, and NO<sub>2</sub>, wherein each R is independently H, alkyl, alkenyl or aryl or heteroforms thereof, and wherein two of said optional substituents on adjacent positions can be joined to form a fused, optionally substituted aromatic or nonaromatic, saturated or unsaturated ring which contains 3-8 members;

each R<sup>4</sup> is independently selected from the group consisting of alkyl, alkenyl, alkynyl, aryl, arylalkyl, acyl, aroyl, heteroaryl, heteroalkyl, heteroalkenyl, heteroalkynyl, heteroalkylaryl, NH-aroyl, halo, OR, NR<sub>2</sub>, SR, SOR, SO<sub>2</sub>R, OCOR, NRCOR, NRCONR<sub>2</sub>, NRCOOR, OCONR<sub>2</sub>, RCO, COOR, alkyl-OOR, SO<sub>3</sub>R, CONR<sub>2</sub>, SO<sub>2</sub>NR<sub>2</sub>, NRSO<sub>2</sub>NR<sub>2</sub>, CN, CF<sub>3</sub>, R<sub>3</sub>Si, and NO<sub>2</sub>, wherein each R is independently H, alkyl, alkenyl or aryl or heteroforms thereof and two of R<sup>4</sup> on adjacent positions can be joined to form a fused, optionally substituted aromatic or nonaromatic, saturated or unsaturated ring which contains 3–8 members, or R<sup>4</sup> is =O or an oxime, oxime ether, oxime ester or ketal thereof, where m is 0–4;

L1 is CO, SO2, or CH2; and

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L<sup>2</sup> is alkylene (1-4C) or alkenylene (1-4AC)-optionally substituted with a moiety selected from the group consisting of alkyl, alkenyl, alkynyl, aryl, arylalkyl, acyl, aroyl, heteroaryl, heteroalkyl, heteroalkenyl, heteroalkynyl, heteroalkylaryl, NH-aroyl, halo, OR, NR<sub>2</sub>, SR, SOR, SO<sub>2</sub>R, OCOR, NRCOR, NRCONR<sub>2</sub>, NRCOOR, OCONR<sub>2</sub>, RCO, COOR, alkyl-OOR, SO<sub>3</sub>R, CONR<sub>2</sub>, SO<sub>2</sub>NR<sub>2</sub>, NRSO<sub>2</sub>NR<sub>2</sub>, CN, CF<sub>3</sub> and NO<sub>2</sub>, wherein each R is independently H, alkyl, alkenyl or aryl or heteroforms thereof, and wherein two substituents on L<sup>2</sup> can be joined to form a non-aromatic saturated or unsaturated ring that includes 0-3 heteroatoms which are O, S and/or N and which contains 3 to 8 members or said two substituents can be joined to form a carbonyl moiety or an oxime, oxime ether, oxime ester or ketal of said carbonyl moiety.

2. The compound of claim 1 wherein B is —COXjCOR<sup>2</sup>, and wherein R<sup>2</sup> is H, or is straight or branched chain alkyl, alkenyl, alkynyl, aryl, arylalkyl, heteroalkyl, heteroaryl, or heteroarylalkyl, each optionally substituted with halo, alkyl, heteroalkyl, SR, OR, NR<sub>2</sub>, OCOR, NRCOR, NRCONR<sub>2</sub>, NRSO<sub>2</sub>R, NRSO<sub>2</sub>NR<sub>2</sub>, OCONR<sub>2</sub>, CN, COOR, CONR<sub>2</sub>, COR, or R<sup>3</sup>Si wherein each R is independently H, alkyl, alkenyl or aryl or the heteroatom-containing forms thereof,

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, Rg St

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wherein R<sup>2</sup> is OR, NR<sub>2</sub>, SR, NRCONR<sub>2</sub>, OCONR<sub>2</sub>, or NRSO<sub>2</sub>NR<sub>2</sub>, wherein each R is independently H, alkyl, alkenyl or aryl or the heteroatom-containing forms thereof, and wherein two R attached to the same atom may form a 3–8 member ring and wherein said ring may further be substituted by alkyl, alkenyl, alkynyl, aryl, arylalkyl, heteroalkyl, heteroaryl, heteroarylalkyl, each optionally substituted with halo, SR, OR, NR<sub>2</sub>, OCOR, NRCOR, NRCONR<sub>2</sub>, NRSO<sub>2</sub>R, NRSO<sub>2</sub>NR<sub>2</sub>, OCONR<sub>2</sub>, or R<sup>3</sup>S) wherein each R is independently H, alkyl, alkenyl or aryl or the heteroatom-containing forms thereof wherein two R attached to the same atom may form a 3–8 member ring, optionally substituted as above defined; and

X, if present, is alkylene.

- 3. The compound of claim 1 wherein Y is an isostere of  $COR^2$ .
- 4. The compound of claim 3 wherein Y is tetrazole; 1,2,3-triazole; 1,2,4-triazole; or imidazole.
  - 5. The compound of claim 1 wherein each of i and j is 0. 20
  - 6. The compound of claim 2 wherein j is 0.
  - 7. The compound of claim 1 wherein  $Z^3$  is  $NR^7$ .
- 8. The compound of claim 7 wherein R<sup>7</sup> is H or is optionally substituted alkyl, alkenyl, alkynyl, aryl, arylalkyl, acyl, aroyl, heteroaryl, heteroalkyl, heteroalkenyl, 25 heteroalkynyl, heteroalkylaryl, or is SOR, SO<sub>2</sub>R, RCO, COOR, alkyl-COR, SO<sub>3</sub>R, CONR<sub>2</sub>, SO<sub>2</sub>NR<sub>2</sub>, CN, CF<sub>3</sub>, NR<sub>2</sub>, OR, alkyl-SR, alkyl-SOR, alkyl-SO<sub>2</sub>R, alkyl-OCOR, alkyl-COOR, alkyl-COOR, alkyl-CONR<sub>2</sub>, or R<sup>3</sup>Si, wherein each R is independently H, alkyl, alkenyl or aryl or heteroforms thereof.
- 9. The compound of claim 8 wherein  $R^7$  is H, or is optionally substituted alkyl, or acyl.
  - 10. The compound of claim 1 wherein  $L^1$  is CO.
- 11. The compound of claim 1 wherein  $L^2$  is unsubstituted 35 alkylene.
- 12. The compound of claim 1 wherein  $L^2$  is unsubstituted methylene, methylene substituted with alkyl, or —CH—.
- 13. The compound of claim 1 wherein Ar is optionally substituted phenyl.
- 14. The compound of claim 13 wherein said optional substitution is by halo, OR, or alkyl.
- 15. The compound of claim 14 wherein said phenyl is unsubstituted or has a single substituent.
- 16. The compound of claim 1 wherein each R<sup>4</sup> is halo, 45 OR, or alkyl.
  - 17. The compound of claim 16 wherein m is 0, 1, or 2.
- 18. The compound of claim 17 wherein m is 2 and both R<sup>4</sup> are alkyl.
- 19. The compound of claim 1 wherein each R<sup>3</sup> is halo, 50 alkyl, heteroalkyl, OCOR, OR, NRCOR, SR, or NR<sub>2</sub>, wherein R is H, alkyl, aryl, or heteroforms thereof.
- 20. The compound of claim 16 wherein R<sup>3</sup> is halo or alkoxy.
- 21. The compound of claim 20 wherein n is 0, 1 or 2.

  22. The compound of claim 1 wherein L<sup>1</sup> is coupled to the
- $\beta$  ring at the 3 position.

  23. The compound of claim 1 wherein  $Z^2$  at position 3 is
- CA or CHA

  24 The compound of claim 23 wherein the 7<sup>2</sup> at position
- 24. The compound of claim 23 wherein the Z<sup>2</sup> at position 60 2 is CR<sup>1</sup> or CR<sup>1</sup><sub>2</sub>.
- 25. The compound of claim 24 wherein R<sup>1</sup> is hydrogen, or is alkyl, alkenyl, alkynyl, aryl, arylalkyl, acyl, aroyl, heteroaryl, heteroalkyl, heteroalkenyl, heteroalkynyl, heteroalkylaryl, NH-aroyl, halo, OR, NR<sub>2</sub>, SR, SOR, SO<sub>2</sub>R, 65 OCOR, NRCOR, NRCONR<sub>2</sub>, NRCOOR, OCONR<sub>2</sub>, RCO, COOR, alkylCOR, SO<sub>3</sub>R, CONR<sub>2</sub>, SO<sub>2</sub>NR<sub>2</sub>, NRSO<sub>2</sub>NR<sub>2</sub>,

CN, CF<sub>3</sub>, R<sub>3</sub>Si, and NO<sub>2</sub>, wherein each R is independently H, alkyl, alkenyl or aryl or heteroforms thereof and two of R<sup>1</sup> can be joined to form a fused, optionally substituted aromatic or nonaromatic, saturated or unsaturated ring which contains 3–8 members.

26. The compound of claim 25 wherein each R<sup>1</sup> is selected from the group consisting of H, alkyl, acyl, aryl, arylalkyl, heteroalkyl, heteroaryl, halo, OR, NR<sub>2</sub>, SR, NRCOR, alkyl-OOR, RCO, COOR, and CN, wherein each R is independently H, alkyl, or aryl or heteroforms thereof.

27. The compound of claim 23 wherein Z<sup>2</sup> at position 2 is N or NR<sup>6</sup>.

28. The compound of claim 27 wherein R<sup>6</sup> is H, or alkyl, alkenyl, alkynyl, aryl, arylalkyl, acyl, aroyl, heteroaryl, heteroalkyl, heteroalkenyl, heteroalkynyl, heteroalkylaryl, or is SOR, SO<sub>2</sub>R, RCO, COOR, alkyl-COR, SO<sub>3</sub>R, CONR<sub>2</sub>, SO<sub>2</sub>NR<sub>2</sub>, CN, CF<sub>3</sub>, or R<sub>3</sub>Si wherein each R is independently H, alkyl, alkenyl or aryl or heteroforms thereof.

29. The compound of claim 1 wherein \ represents a double bond.

30. The compound of claim 1 wherein the compound of formula (1) is selected from the group consisting of:

Rasi

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